

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
FEBRUARY 9, 2006**

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Administrative Order 04-0798-UST
 Order Date: July 7, 2005
 Respondent: **Owen Watts**
 Facility: United 21
 Location/Mailing Address: 8825 Wilson Blvd.
 Columbia, SC 29203

 County: Richland
 Previous Orders: None
 Permit/ID Number: 13024
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a); R.61-92, §280.40(a); R.61-92, §280.93(a); R.61-92,
 §280.34(c); R.61-92, §280.110(c).

Summary: Owen Watts owns underground storage tanks located at 8825 Wilson Boulevard in Columbia, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate corrosion protection equipment continuously, failure to have an adequate release detection method, failure to demonstrate financial responsibility as required by the Department, and failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of seven thousand six hundred ninety dollars (**\$7,690.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by providing repair and retesting records for the cathodic protection system, release detection records, and financial responsibility documentation. The Administrative Order was not appealed; however, the owner brought the tanks back into compliance after the order was sent and paid a reduced civil penalty of one thousand dollars (**\$1,000.00**).

Hazardous Waste Enforcement

- 2) Order Type and Number: Consent Order 05-19-HW
 Order Date: December 16, 2005
 Respondent: **Joslyn Clark Controls, Inc.**

Facility: Joslyn Clark Controls, Inc.
Location/Mailing Address: 2013 West Meeting Street
Lancaster, S.C. 29720
County: Lancaster
Previous Orders: None
Permit/ID Number: SCD 980 803 126
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulations 61-79.262.13(d), R.61-79.262.34(a)(2), R.61-79.262.41(a), R.61-79.265.15(d), R.61-79.265.16(c), R.61-79.265.173(a)(c)(d), R.61-79.265.174, R.61-79.273.13(d)(1), and R.61-79.273.14(e)

Summary: Joslyn Clark Controls, Inc. (Respondent), located in Lancaster, South Carolina, manufactures sensor controls and electrical and mechanical devices. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to file a revised or new Notification Form (DHEC 2701) when the information previously submitted became outdated or inaccurate; failure to label containers holding hazardous waste with an accumulation start date; failure to submit written quarterly reports; failure to record hazardous waste inspections in an inspection log or summary; failure to provide an annual review of the initial training; failure to close all containers holding hazardous waste except when necessary to add or remove waste; failure to label containers of hazardous waste with the words, "Hazardous Waste – federal laws prohibit improper disposal;" failure to label containers of hazardous waste with the appropriate EPA Hazardous Waste Number(s); failure to inspect hazardous waste containers weekly; failure to contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, compatible with the contents of the lamps, and kept closed; and, failure to clearly label or mark each container of waste lamps with one of the following phrases: "Universal Waste – Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

Action: The Respondent has agreed to: ensure that all containers of hazardous waste are managed in accordance with R.61-79.262.34 and R.61-79.265 Subpart I – Use and Management of Containers; ensure that weekly inspections are conducted and recorded in an inspection log or summary; ensure that all containers of universal waste are managed in accordance with R.61-79.273 Subpart B – Standards for Small Quantity Handlers of Universal Waste; ensure that a revised or new Notification Form is submitted whenever information previously provided becomes outdated or inaccurate; submit Quarterly Reports to the Department no later than thirty (30) days after the end of each calendar quarter; ensure that an annual review of the initial training is given to facility personnel; and, pay a civil penalty in the amount of eighteen thousand dollars (\$18,000.00). The penalty will be paid in one (1) payment.

Solid Waste Enforcement

- 3) Order Type and Number: Consent Order 05-04-MSWM
 Order Date: December 8, 2005
 Respondent: **BRS, Inc.**
 Facility: Mt. Nebo Sand Mine
 Location/Mailing Address: P.O. Box 388
 Lancaster, SC 29721

 County: Lancaster
 Previous Orders: None
 Permit/ID Number: GP1-01235
 Violations Cited: South Carolina Mining Act (2002)
 (Act), S.C. Code Ann. § 48-20-55 (Supp. 2004), General Mine Operating
 Permit # GP1-1235, Parts I and III.

Summary: BRS, Inc. (Company) operates the Mt. Nebo Sand Mine (Site) in Lancaster County, South Carolina, under Permit # GP1-01235 (Permit). The Company disturbed an area on the Site greater than the five (5) acres allowed by the General Permit; and, failed to use Best Management Practices at the Site; and, operated past the date of Permit expiration.

Action: The Respondent has agreed to submit an application for an Individual Mining Permit, including the required reclamation bond, by January 10, 2006. The Department assessed a civil penalty of two thousand five hundred dollars (\$2,500.00), but has **suspended** the penalty pending compliance with the Order.

BUREAU OF WATER

Drinking Water Enforcement

- 4) Order Type and Number: Consent Order 05-176-DW
 Order Date: December 14, 2005
 Respondent: **Alfredia Thomas**
 Facility: Alfredia Thomas Daycare
 Location/Mailing Address: 1885 Blakely Rd.
 Salters, S.C. 29590

 County: Williamsburg
 Previous Orders: None
 Permit/ID Number: 4570146
 Violations Cited: S.C. Code Ann. Regs. 61-58.5(G)
 and 61-30(G)(2)

Summary: Alfredia Thomas (Respondent) d/b/a Alfredia Thomas Daycare is responsible for the proper operation and maintenance of a public water system

(PWS). The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fees as follows: failure to perform the required bacteriological monitoring for the 2004 and 2005 monitoring periods and failure to submit the required annual State Safe Drinking Water Fees for the 2003, 2004 and 2005 fiscal years.

Action: The Respondent has agreed to: issue public notice for failure to conduct annual bacteriological monitoring during the calendar year 2005 and pay the balance of the annual State Safe Drinking Water Fees for fiscal years 2003, 2004 and 2005 totaling four hundred twelve dollars and fifty cents (\$412.50).

5) Order Type and Number: Consent Order 05-178-DW
 Order Date: December 14, 2005
 Respondent: **Wright Plumbing and Utilities, Inc.**
 Facility: Crystal Pines
 Location/Mailing Address: 109 Mallard Court Cove
 Chapin, S.C. 29036
 County: Lexington
 Previous Orders: 02-087-DW (\$2000)
 Permit/ID Number: 3250065
 Violations Cited: S.C. Code Ann. Regs. 61-58.12(B)

Summary: Wright Plumbing and Utilities, Inc. (Respondent) is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to submit the Consumer Confidence Report (CCR) for the 2004 calendar year.

Action: The Respondent has agreed to: pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

6) Order Type and Number: Consent Order 05-187-DW
 Order Date: December 19, 2005
 Respondent: **Spero Corp**
 Facility: Spero Corp
 Location/Mailing Address: 119 SE Main Street
 Simpsonville, S.C. 29681
 County: Laurens
 Previous Orders: 01-137-DW (\$11,500) and Consent
 Order of Dismissal 01-277-DW (for AO 01-137-DW)
 Permit/ID Number: N/A
 Violations Cited: S.C. Code Ann. Regs. 61-
 71(H)(1)(a) and (f) and (H)(4)(c)(1)

Summary: Spero Corp (Respondent) is responsible for the proper installation of 3 temporary monitoring wells located at 877 Torrington Road in Laurens County, South Carolina. The Respondent has violated the South Carolina Well Standards and Regulations as follows: failure to obtain Department approval prior to the installation of 3 temporary monitoring wells; failure to submit the required Well Record Form 1903 forms to the Department within 30 days of well completion; and failure to abandon 3 temporary monitoring wells within 5 days of borehole completion.

Action: The Respondent has agreed to: comply with all State rules and regulations concerning well construction; submit a Corrective Action Plan (CAP) that addresses the procedures taken to prevent further violations; pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**); and pay a **stipulated penalty** in the amount of two thousand eight hundred dollars (\$2,800.00) should it fail to comply with any requirement of this Order.

7)	<u>Order Type and Number:</u>	Consent Order 05-189-DW
	<u>Order Date:</u>	December 30, 2005
	<u>Respondent:</u>	Douglas Riley
	<u>Facility:</u>	N/A
	<u>Location/Mailing Address:</u>	1021 Gipp Street Summerton, S.C. 29148
	<u>County:</u>	Florence
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-71.
	(F)(2)(e), (F)(8), and (F)(11)	

Summary: Douglas Riley (Respondent) is involved in the business of well drilling in the State of South Carolina. The Respondent has violated the South Carolina Well Standards and Regulations as follows: failure to grout a well within 5 days of borehole completion; failure to attach an identification plate to a well; and failure to provide a sanitary seal on top of the well casing.

Action: The Respondent has agreed to: comply with all pertinent State rules and regulations concerning well construction and pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**).

Water Pollution Enforcement

8)	<u>Order Type and Number:</u>	Consent Order 05-169-W
	<u>Order Date:</u>	December 2, 2005

Respondent: **Dilmar Oil Company, Inc**
Facility: Dilmar Oil Company, Inc.
Location/Mailing Address: 1951 West Darlington Street
Florence, S.C. 294501
County: Florence
Previous Orders: None
Permit/ID Number: SC0048399
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
and S.C. Code Ann. § 48-1-110(a)(1) (Supp.2004).

Summary: Dilmar Oil Company (Respondent) owns and is responsible for the storage of a lubricating and hydraulic oil business. The Respondent has violated the Pollution Control Act and associated regulations as follows: discharged wastewater into the environment, including waters of the State and constructed an oil and water separator without a construction permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations, submit 3 copies of plans, specifications and an administratively and technically complete application for a Permit to Construct an oil/water separator and pay a civil penalty in the amount of five thousand one hundred dollars (**\$5,100.00**). The civil penalty has been paid.

9) Order Type and Number: Consent Order 05-173-W
Order Date: December 2, 2005
Respondent: **Daniel Island Marina, LLC**
Facility: Daniel Island Marina, LLC
Location/Mailing Address: 669 Marina Drive
Charleston, S.C. 29492
County: Charleston
Previous Orders: None
Permit/ID Number: 31534-WW
Violations Cited: S.C. Code Ann. § 48-1-110(a)(1)
(Supp. 2004) and 25 S.C. Code Ann. Regs. 61-67.300.A.1 (Supp. 2004)

Summary: Daniel Island Marina, LLC (Respondent) owns and is responsible for the construction, operation and maintenance of a wastewater collection system (WWCS) and pump station serving a restaurant and office building located on Marina Drive in the City of Charleston. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to obtain a permit prior to the construction of wastewater facilities.

Action: The Respondent has agreed to: pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

10) Order Type and Number: Consent Order 05-177-W

Order Date: December 30, 2005
Respondent: **ATC Development Corporation**
Facility: Karlie Hill Subdivision
Location/Mailing Address: 220 Boy Scout Road
Augusta, GA 30909
County: Greenwood
Previous Orders: None
Permit/ID Number: SCR106563
Violations Cited: S.C. Code Ann. § 48-1-90(a) and 110(d) (Supp. 2004), 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2004), 25S.C. Code Ann. Regs. 61-68.E(5)(d) (Supp. 2004)

Summary: ATC Development Corporation (Respondent) owns and is responsible for land clearing, grading and construction activities at Karlie Hill Subdivision, located at East Laurel Avenue at Haltiwanger Road, in Greenwood, South Carolina. The Respondent violated the Pollution Control Act and associated regulations as follows: failed to properly install and maintain all storm water control devices and discharged sediment into the environment, including waters of the State.

Action: The Respondent has agreed to: submit a report prepared by a South Carolina Registered Professional Engineer certifying that all necessary storm water controls are installed and properly functioning and pay a civil penalty in the amount of eleven thousand nine hundred dollars (**\$11,900.00**).

11) Order Type and Number: Consent Order 05-179-W
Order Date: December 16, 2005
Respondent: **Hanson Aggregates Southeast, Inc.**
Facility: Anderson Mine
Location/Mailing Address: P.O. Box 2657
Greer, S.C. 29652
County: Anderson
Previous Orders: None
Permit/ID Number: SCG730222
Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(e) (Supp. 2004)

Summary: Hanson Aggregates Southeast, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Anderson Mine. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits for total suspended solids (TSS).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a revised site plan addressing the relocation of

outfall 002; and pay a civil penalty in the amount of five thousand six hundred dollars (\$5,600.00).

- 12) Order Type and Number: Consent Order 05-180-W
 Order Date: December 14, 2005
 Respondent: **Bryant Caldwell**
 Facility: Liquids Gentlemen's Club
 Location/Mailing Address: 13 Evelyn Court
 Columbia, S.C. 29210
 County: Richland
 Previous Orders: None
 Permit/ID Number: None
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)

Summary: Bryant Caldwell (Respondent) is responsible for the operation of the Liquids Gentlemen's Club. The Respondent has violated the Pollution Control Act as follows: discharged wastewater into the environment.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations and guidelines and pay a civil penalty in the amount of six thousand eight hundred dollars (\$6,800.00).

- 13) Order Type and Number: Consent Order 05-182-W
 Order Date: November 30, 2005
 Respondent: **Moore Sewer, Inc.**
 Facility: Madera & Linville Hills SD
 Location/Mailing Address: P.O. Box 2753
 Spartanburg, S.C. 29304
 County: Spartanburg
 Previous Orders: 02-215-W (\$10,000), 02-222-W
 (\$51,000) and 03-154-W (\$10,000)
 Permit/ID Number: SC0021687, SC0034169
 Violations Cited: S.C. Code Ann. § 48-1-90(a), and
 110(d) (Supp. 2004), 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.
 2004) and 25 S.C. Code Ann. Regs. 61-68.E.5a and c (Supp. 2004)

Summary: Moore Sewer, Inc. (Respondent) owns and is responsible for a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to sample the discharge from the WWTF and the results were not reported to the Department.

Action: The Respondent has agreed to: complete the closeout of the Madera Subdivision and Linville Hills Subdivision WWTFs in accordance with

the Department approved closure plan with the closeout subject to the Department's final inspection and approval; pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**), of the twenty four thousand (\$24,000.00) civil penalty, due and owing under the original order, in monthly installments; and pay a **suspended penalty** in the amount of twelve thousand dollars (**\$12,000.00**) if it fails to meet any requirement of this Order.

- 14) Order Type and Number: Consent Order 05-184-W
 Order Date: December 19, 2005
 Respondent: **Lubrizol Foam Control Additives**
 Facility: Lubrizol Foam Control Additives
 WWTF
 Location/Mailing Address: 195 Brooks Boulevard
 Spartanburg, S.C. 29306
 County: Spartanburg
 Previous Orders: 05-09-HW(\$39K)
 Permit/ID Number: SC0037826
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (d) (Supp.
 2004).

Summary: Lubrizol Foam Control Additives (Respondent) is responsible for the operation and maintenance of a wastewater treatment facility (WWTF) serving its manufacturing facility located in Spartanburg, South Carolina. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for surfactants and acute toxicity.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an application to the Spartanburg Sanitary Sewer District (SSSD) for a permit to connect the WWTF to the SSSD collection system; submit an application for a permit to construct a sewer line to connect the WWTF to the SSSD collection system; complete construction of the sewer line and eliminate the WWTF discharge; and pay a civil penalty in the amount of nine thousand six hundred dollars (**\$9,600.00**).

- 15) Order Type and Number: Consent Order 05-185-W
 Order Date: December 19, 2005
 Respondent: **Tamassee DAR School**
 Facility: Tamassee DAR School
 Location/Mailing Address: P.O. Box 8
 Tamassee, S.C. 29686
 County: Oconee

Previous Orders: None
Permit/ID Number: SC0026727
Violations Cited: S.C. Code Ann § 48-1-110(d) (Supp 2004), and 24 S.C. Code Ann. Regs. 61-9.122.41(d) (Supp. 2004)

Summary: Tamasee DAR School (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: exceeded the permitted discharge limits for ammonia-nitrogen.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; submit a summary of corrective actions taken to prevent any future ammonia-nitrogen violations; and pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**) in quarterly payments.

16) Order Type and Number: Consent Order 05-188-W
Order Date: December 30, 2005
Respondent: **Mac McGee**
Facility: Double M Farm
Location/Mailing Address: 3456 South Highway 187
Anderson, S.C. 29626
County: Anderson
Previous Orders: None
Permit/ID Number: ND0068870
Violations Cited: 24A S.C. Code Ann. Regs. 61-43.200.10. D.4 and 200.20.E.2, F (Supp. 2004)

Summary: Mac McGee (Respondent) owns and is responsible for a confined poultry feeding operation at the Double M Farm (Site), located at 3450 South Highway 187 in Anderson County, South Carolina. The Respondent violated the Pollution Control Act and associated regulations as follows: failed to submit a complete application package in order to obtain a permit prior to construction of a third poultry house and failed to properly update the Animal Facility Management Plan in compliance with a permit issued by the Department.

Action: The Respondent has agreed to: pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**) in quarterly installments

17) Order Type and Number: Consent Order 05-190-W
Order Date: December 30, 2005
Respondent: **Stone Creek Cove Homeowners Association**

Facility: Stone Creek Cove WWTF
Location/Mailing Address: 1500 Providence Church Road
Anderson, S.C. 29626
County: Anderson
Previous Orders: None
Permit/ID Number: ND0067032
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.505.41(a), (j)(3), (o)(2)
(Supp. 2004)

Summary: Stone Creek Cove Homeowner's Association (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the residences of Stone Creek Cove located off Providence Church Road, in Anderson County, South Carolina. The Respondent violated the Pollution Control Act and associated regulations as follows: failed to comply with all conditions of the permit by not including the required information on discharge monitoring reports (DMRs) and made a false representation in the daily check sheet at the Site.

Action: The Respondent has agreed to: submit a summary of corrective actions taken to date to correct the oversight responsibilities required while utilizing the services of an independent wastewater operator.

Joint Orders

18) Order Type and Number: Consent Order 05-170-W, DW
Order Date: December 2, 2005
Respondent: **City of Orangeburg**
Facility: Department of Public Utilities
Location/Mailing Address: P.O. Box 1057
Orangeburg, S.C. 29116
County: Orangeburg
Previous Orders: None
Permit/ID Number: DWP ID #3810001
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
25 S.C. Code Ann. Regs. 1-68.E(5)(d) (Supp. 2004); 24A S.C. Code Ann.
Regs. 61-58.7(F)(2) (Supp. 2004)

Summary: The City of Orangeburg Department of Public Utilities (Respondent) owns and is responsible for the proper operation and maintenance of a drinking water treatment plant. The Respondent has violated the Pollution Control Act, Water Classifications and Standards, and the State Primary Drinking Water Regulations as follows: discharged approximately 8,800 gallons of 50% sodium hydroxide into the environment in a manner other than in compliance with a permit issued; failed to keep waters of the State free from toxic substances,

which interfered with the classified uses and the existing uses of the water body and proved to be harmful to aquatic life (fish kill); and failed to install an approved backflow prevention device between the internal plant and several containers used to store caustic liquids.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a final report detailing all corrective actions taken to prevent future discharges and correct deficiencies within the plant and pay a civil penalty in the amount of twenty thousand four hundred seventy-two dollars and fifty-six cents (**\$20,472.56**).

BUREAU OF AIR QUALITY

19) Order Type and Number: Consent Order 05-056-A
Order Date: December 19, 2005
Respondent: **S & W Ready Mix Concrete Co., Inc.**
Facility: S & W Ready Mix Concrete Co., Inc.
Location/Mailing Address: 1040 Redi Mix Road
Little River, SC 29566
County: Horry
Previous Orders: 03-099-A (\$4,800)
Permit/ID Number: 9900-0399
Violations Cited: Consent Order 03-099-A, S.C. Code Ann. § 48-1-110(d), and South Carolina Air Pollution Control Regulation 61-62.6, Section II - Control of Fugitive Particulate Matter in Problem Areas

Summary: S & W Ready Mix Concrete Co., Inc. (Respondent), operates several concrete batch-production plants in South Carolina, including a 150 cubic-yard-per-hour concrete batch-production plant located in Little River. The Respondent violated State regulations and permit requirements as follows: failed to control fugitive particulate matter (PM) emissions by wet suppression, chemical dust suppressants, or in any other manner which has received prior approval from the Department, and caused or permitted fugitive PM emissions that could be reasonably controlled to escape into the ambient air.

Action: The Respondent has agreed to: control fugitive PM emissions by wet suppression, chemical dust suppressants, or in any other manner that has received prior approval from the Department; ensure that fugitive PM emissions that can be reasonably controlled do not escape into the ambient air; and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**). The penalty is due January 18, 2006.

20) Order Type and Number: Consent Order 05-057-A
 Order Date: December 19, 2005
 Respondent: **Nutra Manufacturing, Inc.**
 Facility: Nutra Manufacturing, Inc.
 Location/Mailing Address: 1050 Woodruff Road
 Greenville, South Carolina 29607
 County: Greenville County
 Previous Orders: None
 Permit/ID Number: 1200-0127
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.70, Title V Operating Permit Program.

Summary: Nutra Manufacturing, Inc. (Respondent), located in Greenville, South Carolina, manufactures vitamins and vitamin supplements. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to submit a complete application for renewal of its Title V Operating Permit at least six months prior to the date of expiration. The Title V Operating Permit became effective on September 1, 2001, and expired on August 31, 2005. The application for renewal was due no later than February 28, 2005.

Action: The Respondent submitted a complete application for renewal of its Title V Operating Permit on May 12, 2005, and has agreed to comply with all terms and conditions of Title V Operating Permit TV-1200-0127, effective September 1, 2001, until such time as the Department takes final action on the application for renewal.

21) Order Type and Number: Consent Order 05-058-A
 Order Date: December 19, 2005
 Respondent: **Weyerhaeuser Company**
 Facility: **Weyerhaeuser Company**
 Location/Mailing Address: 585 Willamette Road
 Bennettsville, South Carolina 29512
 County: Marlboro County
 Previous Orders: 03-004-A(\$7500), 03-012-A(\$20K),
 02-161-W
 Permit/ID Number: 1680-0043
 Violations Cited: S. C. Code Ann. § 48-1-90(a).

Summary: Weyerhaeuser (Respondent) owns and operates an integrated Kraft pulp and paper mill in Bennettsville, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to limit its sulfuric acid mist (H₂SO₄) emissions from its NCG incinerator below its

limit of 0.132 lbs/hr during a Department-approved source test on July 13, 2004. The emission rate during the source test was 1.824 lbs/hr.

Action: The Respondent submitted a Prevention of Significant Deterioration (PSD) application with Best Available Control Technology (BACT) analysis for a revised H₂SO₄ emission limit. The Consent Order establishes an interim H₂SO₄ emission limit of 5.76 lbs/hr, which is valid until the Department issues a new PSD permit. The Respondent has agreed to conduct a source test for H₂SO₄ emissions no later than 90 days after the execution date of this Consent Order. The Department elected to not assess a civil penalty in this case.

22)	<u>Order Type and Number:</u>	Consent Order 05-059-A
	<u>Order Date:</u>	December 19, 2005
	<u>Respondent:</u>	South Carolina State University
	<u>Facility:</u>	South Carolina State University
	<u>Location/Mailing Address:</u>	300 College Street, Northeast Orangeburg, South Carolina 29117
	<u>County:</u>	Orangeburg County
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	1860-0065
	<u>Violations Cited:</u>	South Carolina Pollution Control Act
	Code Ann. §48-1-110(d)	

Summary: South Carolina State University (Respondent), located in Orangeburg, South Carolina, operates three boilers that provide hot water and steam to heat campus buildings. The Respondent violated its Permit and the South Carolina Pollution Control Act as follows: failure to maintain monthly records of natural gas and fuel oil consumption with 12-month rolling sums for a period of at least five years from the date generated, and failure to submit quarterly reports of the required monthly monitoring information no later than 30 days following each reporting period ending September 30, 2003, through June 30, 2005, as required by the Permit.

Action: The Respondent has agreed to immediately establish and henceforth maintain on-site all required monthly monitoring records, including 12-month rolling sums, as required by the Permit, henceforth submit to the Department quarterly reports of the required monthly monitoring information no later than 30 days following the end of each reporting period, and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**).

23)	<u>Order Type and Number:</u>	Consent Order 05-060-A
	<u>Order Date:</u>	December 21, 2005
	<u>Respondent:</u>	Mr. Lawrence Gordon
	<u>Facility:</u>	Mr. Lawrence Gordon

Location/Mailing Address: 217 Tannenbaum Road
Ravenel, South Carolina 29470
County: Dorchester
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Regulation 61-62.2,
Prohibition of Open Burning

Summary: Mr. Lawrence Gordon (Respondent), located in Ravenel, South Carolina, owns property located at 217 Tannenbaum Road. The Respondent violated State open burning regulations in that he burned materials prohibited by the regulation.

Action: The Respondent has agreed to: cease all open burning activities of materials prohibited by the regulation, and pay to the Department a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**), payable in five payments of seven hundred dollars (**\$700.00**). The first payment is due within thirty (30) days of the execution date of this Order, and all additional payments will be due every thirty days from the previous payment due date.

24) Order Type and Number: Consent Order 05-061-A
Order Date: December 30, 2005
Respondent: **Carolina Pride Foods, Inc.**
Facility: Greenwood Packing Plant
Location/Mailing Address: 1 Packer Avenue
Greenwood, South Carolina 29646
County: Greenwood
Previous Orders: 00-118-A (\$3,250)
Permit/ID Number: 1240-0019
Violations Cited: U.S. EPA Regulations at 40 CFR 60.7, Notification and Record Keeping; U.S. EPA Regulations at 40 CFR 60.8, Performance Tests; U.S. EPA Regulations at 40 CFR 60.48, Reporting and Record Keeping Requirements; South Carolina Air Pollution Control Regulation 61-62.1, Permit Requirements; South Carolina Air Pollution Control Regulation 61-62.1, Standard No. 2, Ambient Air Quality Standards; S.C. Code Ann. § 48-1-110(d); and Consent Order 00-118-A

Summary: Carolina Pride Foods, Inc. - Greenwood Packing Plant ("Respondent") is a meat processing and packing plant. The Department issued General Conditional Major Operating Permit GCM02-1240-0019 ("conditional major permit") to the Respondent, effective December 15, 1996. The Respondent has violated U.S. EPA Regulations, South Carolina Air Pollution Control Regulations, the conditional major permit, and Consent Order 00-118-A as follows: failure to submit to the Department notification of the date of

construction of a 33.475×10^6 Btu/hr boiler ("Boiler #1") and a 29.3×10^6 Btu/hr boiler ("Boiler #2"); failure to submit to the Department notification of the actual date of initial startup of Boiler #2; failure to maintain startup and shutdown logs for Boiler #1 and Boiler #2; failure to conduct an initial performance test on Boiler #1; failure to submit a written request to obtain an operating permit for Boiler #2 at least 15 days prior to placing the source into operation; failure to calculate natural gas and fuel oil consumption on a twelve-month rolling-sum basis and submit required quarterly reports of same; exceeding the maximum allowable ambient air concentrations of TSP and PM₁₀ as shown by modeling results.

Action: The Respondent has agreed to: submit to the Department notifications of the date of construction and of the actual date of initial startup of sources of air contaminants; maintain complete startup and shutdown logs for its boilers; conduct performance tests in accordance with its permits and applicable regulations; submit a written request to obtain an operating permit at least 15 days prior to placing a source into operation; calculate fuel consumption on a twelve-month rolling-sum basis; submit required quarterly reports of fuel consumption in a timely manner; submit quarterly reports of natural gas and fuel oil consumption calculations on a twelve-month rolling sum basis, from November 2003 through September 2004 and all past due quarterly reports of fuel consumption; and pay a civil penalty in the amount of twenty thousand dollars (**\$20,000.00**).